

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**In Re: BP P.L.C. SECURITIES  
LITIGATION**

**In Re: BP ERISA LITIGATION**

§  
§ **MDL NO. 2185**  
§ **CIVIL ACTION NO. 4:10-md-2185**  
§  
§ **Civil Action No. 4:10-cv-4214**  
§

**ORDER AND NOTICE**

A hearing will be held on January 25, 2011 at 1:00 p.m. regarding the pending Motions for Appointment of Interim Co-Lead Counsel in the *In re BP ERISA Litigation*. Parties and counsel may attend by telephone or in person. Parties and counsel choosing to attend by telephone may call the Court's conference dial-in number (713) 250-5238 at the scheduled time. Those parties who participate by phone should not use cellular telephones or a speaker.


No later than January 20, 2011, counsel seeking appointment as interim co-lead counsel or liaison counsel must submit the following information to the Court:

- (1) pursuant to Federal Rule of Civil Procedure 23(g)(1)(C), a detailed proposal for attorneys' fees and nontaxable costs to govern the litigation of *In re BP ERISA Litigation*. Counsel should discuss whether they anticipate seeking attorney's fees under the common fund doctrine or a fee-shifting statute. In addition, counsel should discuss whether they anticipate seeking recovery on a contingency basis, and further, whether their fee will be based on a percentage, the lodestar method, and/or another approach. Finally, counsel should set forth the normal or anticipated billing rates for their work in this case; and

- (2) pursuant to Rule 23(g)(1)(C), a list of cases that counsel have filed against BP plc and/or the other named Defendants in the individual cases comprising *In re BP ERISA Litigation*. For each case, counsel should describe: (a) when and where the case was originally filed; (b) whether the case has been consolidated into either MDL No. 2185 or MDL No. 2179; and (c) the role that counsel continues to play, if any, in the prosecution of the case, including, but not limited to, whether counsel is lead counsel, co-lead counsel, liaison counsel or a member of a steering committee.

**IT IS SO ORDERED.**

**SIGNED** at Houston, Texas, on this the 11<sup>th</sup> day of January, 2011.

  
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KEITH P. ELLISON  
UNITED STATES DISTRICT JUDGE